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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,777	06/27/2003	Hiromi Saitoh	115992	6376

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EXAMINER

DUDEK, JAMES A

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,777

Applicant(s)

SAITOH, HIROMI

Examiner

James A. Dudek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-3, 5-16 and 20 is/are rejected.
- 7) ☒ Claim(s) 4 and 17-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0147036 ("036") in view of US Patent 6,654,083 ("083").

IN re claims 1-3 5-8, 036 teaches an electro-optical device [16] where projection light from a light source enters an image display area [see source 1 and figure 1]; a dust proof substrate [28]; a second light blocking film formed on at least one of a pair of substrates, one substrate being placed on a light source side and the other substrate configuring the electro-optical device and a packaging case [29] to hold at least a part of a peripheral area in a periphery of the image display area in the electro-optical device [see figure 2A and 2B] and housing the device and dust-proof substrate, the second light blocking film, the first light blocking film [will be addressed below], the dust proof substrate and the packaging case configuring a heat conducting path [see 31].

Regarding the second black matrix, it was well known to use a black mask formed on one of the electro-optical device's substrates in projectors in order to improve contrast, Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to combine the well known black matrix with 036.

Regarding the first light blocking film formed on the dust-proof substrate, 083 teaches using a shielding layer on a dust proof substrate. It would have been obvious to one of ordinary skill at the time the invention was made to combine the shielding layer of 083 with 036, as taught by 083 to provide a periphery that does not interfere with ultraviolet light irradiation for curing the ultraviolet light curing resin in the seal area adhered with the seal material, because adhesion of the first transparent substrate and second transparent substrate have already been completed before attaching the third

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transparent substrate or in the production process of the electronic optical device according to the present invention. In other words, the first partitioning periphery or is disposed so that the display area side edge of it may position nearer to the peripheral side than the position of the effective display area side edge of the second partitioning periphery. Namely, the edge of the display area side of the first partitioning periphery or is disposed more outer side than the edge of the display area side of the second partitioning periphery. The first partitioning periphery and the second partitioning periphery are provided so as to be overlapped at least partly each other, in plain state. Such construction, in which the first partitioning periphery and the second partitioning periphery are overlapped with each other, makes it possible to perform the light-shielding at the periphery of the display area, more surely.

In re claim 5, see paragraph 49.

In re claim 6, the 036 lacks the use of sapphire. However it was well known that sapphire is scratch resistant and thus it would have been obvious at the time of the invention to use sapphire as the dust proof substrate to reduce scratching, i.e. it would have been obvious to combine.

Allowable Subject Matter

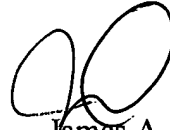
Claims 4 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Dudek whose telephone number is 571-272-2290. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James A. Dudek
Primary Examiner
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